



AGENDA
RIO DELL CITY COUNCIL
STUDY SESSION – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.
TUESDAY, FEBRUARY 18, 2014
CITY COUNCIL CHAMBERS
675 WILDWOOD AVENUE, RIO DELL

WELCOME . . . By your presence in the City Council Chambers, you are participating in the process of representative government. Copies of this agenda, staff reports and other material available to the City Council are available at the City Clerk's office in City Hall, 675 Wildwood Avenue. Your City Government welcomes your interest and hopes you will attend and participate in Rio Dell City Council meetings often.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Office of the City Clerk at (707) 764-3532. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.

THE TYPE OF COUNCIL BUSINESS IS IDENTIFIED IMMEDIATELY AFTER EACH TITLE IN BOLD CAPITAL LETTERS

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. STUDY SESSIONS – 6:00 – 6:30 p.m.

- 1) 2014/0218.01 – Presentation by Alison Talbott, PG&E on High Energy Use Tax Program

E. CEREMONIAL MATTERS

- 1) 2014/0218.02 - Swearing In of Police Officer Dmitriy Gavryush

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F. PUBLIC PRESENTATIONS

This time is for persons who wish to address the Council on any matter not on this agenda and over which the Council has jurisdiction. As such, a dialogue with the Council or staff is not intended. Items requiring Council action not listed on this agenda may be placed on the next regular agenda for consideration if the Council directs, unless a finding is made by at least 2/3rds of the Councilmembers present that the item came up after the agenda was posted and is of an urgency nature requiring immediate action. Please limit comments to a maximum of 3 minutes.

G. CONSENT CALENDAR

The Consent Calendar adopting the printed recommended Council action will be enacted with one vote. The Mayor will first ask the staff, the public, and the Council members if there is anyone who wishes to address any matter on the Consent Calendar. The matters removed from the Consent Calendar will be considered individually in the next section, "SPECIAL CALL ITEMS".

- 1) 2014/0218.03 - Approve Minutes of the February 4, 2014 Regular Meeting
(ACTION) 2
- 2) 2014/0218.04 - Declare (2) Real Properties of the Water Fund Surplus to the City
and Available for Sale (ACTION) 10
- 3) 2014/0218.05 - Accept Conditions for Gift of Rio Dell Elementary School District
Property (ACTION) 13

H. SPECIAL PRESENTATIONS

- 1) 2014/0218.06 - Project Status Report from City Engineer, Merritt Perry, GHD

I. SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

- 1) "SPECIAL CALL ITEMS" from Consent Calendar
- 2) 2014/0218.07 - Direct Staff to Prepare Notice for Public Hearing on Establishment
of Building Department Administrative Fees for March 4, 2014.
(ACTION) 16
- 3) 2014/0218.08 - Approve Agreement with Arnie Kemp for Contract Plan Check
and Building Inspection Services effective February 18, 2014
(ACTION) 24
- 4) 2014/0218.09 - Approve Water Fund Budget Adjustments (ACTION) 36

J. ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

- 1) 2014/0218.10 - Approve Resolution No. 1217-2014 Restating Water Rates, Charges
and Fees as set forth in Resolution No. 1168-2012, Correcting and
Clarifying the Text and Rescinding Resolution No. 1168-2012
(ACTION) 41
- 2) 2014/0218.11 - Conduct second reading (by title only) and adopt Ordinance No.
317-2014 Amending Section 2.60.030(4) of the Rio Dell Municipal
Code Changing the Planning Commission's Monthly Regular Meetings
from the 4th Wednesday of the month to the 4th Thursday (ACTION) 50
- 3) 2014/0218.12 - Introduce and conduct first reading (by title only) of Ordinance No.
312-2014 Amending Current Home Occupation Regulations, Section
17.10.010 of the Rio Dell Municipal Code (ACTION) 56

- 4) 2014/0218.13 - Introduce and conduct first reading (by title only) of Ordinance No. 313-2014 Establishing Cottage Industry Regulations, Section 17.10.010 of the Rio Dell Municipal Code (**ACTION**) 79

K. REPORTS/STAFF COMMUNICATIONS

1. City Manager
2. Chief of Police - **Monthly Police Report for January 2014** 97
3. Finance Director – **Check Register for January 2014** 105
4. Community Development Director

L. COUNCIL REPORTS/COMMUNICATIONS

M. ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION AS FOLLOWS: **No Closed Session Items Scheduled**

N. ADJOURNMENT

*The next regular meeting will be on March 4, 2014
at 6:30 p.m. in City Hall Council Chambers*

675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532



To: Honorable Mayor and Members of the City Council
Through: Jim Stretch, City Manager
From: Graham Hill, Chief of Police
Date: February 18, 2014
Subject: Swearing in of Police Officer Dmitriy Gavryush

Action

Ceremonial- Swearing in by Mayor

Summary

Dmitriy made it through a thorough background process and was hired on February 8th to fill the vacant full-time Police Officer position in our department. Dmitriy was previously employed with us as a level 1 Reserve Police Officer and then was hired by the Ferndale Police Department about seven months ago, where he worked successfully for that agency in a full-time capacity. Dmitriy learned of our opening and discussed the matter with his Chief in Ferndale and elected to apply with us with Chief Smith's blessing and a positive performance review. We are happy to have him back and are looking forward to getting back to full staffing.

**RIO DELL CITY COUNCIL
REGULAR MEETING
FEBRUARY 4, 2014
MINUTES**

The regular meeting of the Rio Dell City Council was called to order at 6:30 p.m. by Mayor Pro Tem Wilson.

ROLL CALL: Present: Mayor Pro Tem Wilson, Councilmembers Johnson, Marks and Woodall

Absent: Mayor Thompson (excused)

Others Present: City Manager Stretch, Community Development Director Caldwell and City Clerk Dunham

Absent: Chief of Police Hill, Water/Roadways Superintendent Jensen and Wastewater Superintendent Chicora

PUBLIC PRESENTATIONS

Carol Theuriet addressed the Council regarding a traffic issue on Pacific Ave. and stated that there are many citizens who walk along Pacific Ave. with no sidewalks to protect them and also many children who play along Pacific Ave. who are at risk from being hit by speeding vehicles. She said there is also a high school bus that stops at the corner of Pacific and Elm St. that needs consideration. She said during the logging season many of the truck drivers disregard the 25 MPH speed limit. She said some motorists will disregard the speed limit no matter what but since Pacific Ave. from Monument Road to Davis St. is the City's designated truck route, citizens should afford the effort to control the 25 MPH speed limit. She said a traffic study was done 4 or 5 years ago but believes it is time to readdress the changing use of Pacific Ave. She said many citizens find it more convenient to use Pacific Ave rather than Wildwood Ave. to reach the upper areas of the City and suggested a 4-way stop at Douglas St. and a speed monitor be installed to help slow traffic. She also suggested the placement of additional signs including a "Children at Play" sign and a crosswalk at Elm and Pacific where the school bus stops. She said it would be nice to have the speed trailer placed on Pacific Ave. the next time it's available. She stated that she approached the Police Department several months ago about the ongoing speed problem but doesn't believe any action has been taken to try to control the speed. She said she would like to know our citizens are being protected.

Deborah Bare addressed the Council regarding the current deposits required for water and sewer service and said she knows someone who recently moved to town and rented a studio apartment for \$700/mo. and had to come up with \$3,000 to get into the apartment; when she called the City she was told that she also had to pay a \$300 deposit go get the water and sewer service started. She asked that the Council give consideration for a payment plan or funding assistance for residents with limited income.

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Mayor Pro Tem Wilson commented that the deposit policy was recently addressed during a public hearing.

City Manager Stretch said he would be glad to explain the policy during the next day or two if Mrs. Bare would like to come in.

Nick Angeloff provided a brief update on the East-West Rail efforts and said there is nothing new to report since the last meeting. He said in regard to the Little League, the Board will be holding a meeting February 10th which he will be attending and handling whatever coordination is needed to insure that Rio Dell and Scotia has a team this year and hopefully the kids will be playing on the home field this year.

CONSENT CALENDAR

Councilmember Johnson asked that Item 1, *Approval of Minutes of the January 21, 2014 Regular Meeting* be removed from the consent calendar and placed under Special Call Items for separate discussion.

Motion was made by Marks/Woodall to approve the consent calendar including the approval of an Agreement between Rio Dell and Humboldt Waste Management Authority for Administration of the Recycling Program; and approval of Amendment to the Rio Dell/Scotia Chamber of Commerce Agreement for Business Incubator Cash Match to allow funds to be made in the 2013-14 and 2014-15 fiscal years. Motion carried 4-0.

SPECIAL CALL ITEMS FROM CONSENT CALENDAR

Approve Minutes of the January 21, 2014 Regular Meeting

Councilmember Johnson noted a correction to the minutes on page 13 related to the City Manager's statement regarding the recent drought proclamation made by the Governor and said he brought the correction to the City's Clerks attention and the minutes were revised as such. The corrected minutes read in part "if the dry weather persists, the SWRQCB will be notifying water rights holders to limit or stop diversion under this water crisis; and based on priority, the right to divert is based on the water right type being claimed. In times of drought, "junior right holders" such as the City are the first to discontinue use but we do have priority over ag or any use, and potable water to the community is a No. 1 priority."

Motion was made by Johnson/Woodall to approve the minutes of the January 21, 2014 regular meeting as revised. Motion carried 4-0.

SPECIAL CALL ITEMS/COMMUNITYAFFAIRS

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Public Hearing – Unmet Transit Needs

City Manager Stretch provided a staff report and said each year the Humboldt County Association of Governments (HCAOG), as part of the Regional Transportation Planning Agency (RTPA), conducts a citizen participation process to access unmet transit needs within Humboldt County. He said this process helps HCAOG properly apply funds by the Transportation Development Act (TDA). In addition to the County's public hearing, HCAOG recommends that each entity conduct a separate public hearing to receive comments specific to their jurisdiction; any public comments received will be sent to HCAOG for inclusion in the Unmet Transit Needs Report of Findings.

He reported that in the past, the City received approximately \$103,000; \$56,000 of which was dedicated to meet the transit needs of public transportation, \$6,500 for Adult Day Health Services, with the balance dedicated to local street maintenance.

A public hearing was opened at 6:45 p.m. to receive public comment on unmet transit needs.

Nick Angeloff commented that although it is not really an unmet transit need he wanted to mention that he recently had experience with the Adult Day Health Care Program and assured the Council that it works well and is very effective. He urged the City to look into a program that provides meals to seniors as an added benefit.

Councilmember Marks asked if Adult Day Health provides seniors with rides to medical appointments.

Nick Angeloff responded that they will pick up seniors and take them to their appointments; however as he understands it they don't wait and take them back home.

Councilmember Marks said she would like to see why HCAR (Humboldt Community Access and Resource Center) doesn't expand their dial-a-ride services to include Rio Dell. She said the issue was brought up during the prior year's public hearing but she is not sure if the concern was addressed.

There being no further public comment, the public hearing closed at 6:49 p.m.

Provide Staff Direction on Concept of Establishing Building Inspection Administrative Fees to Fund the Building Inspection Program

City Manager Stretch provided a staff report and said during the 2013-14 budget hearings, the City Council addressed the issue of the Building Inspection Program not being self-supported; generally running with an annual deficit of around \$22,000 depending on building activity. Staff was directed to develop a concept to allow the service to be provided without a general fund

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subsidy. As such, a concept proposal was developed and is now being presented for consideration.

He said to add to the budget situation, during recent negotiation with Arnie Kemp for a new professional services agreement, the matter of professional liability insurance was introduced as a requirement. When it was presented to him, he determined that he could not afford the insurance and gave the City a termination notice. He said the quote from a local Broker for general liability and errors and omissions coverage was \$3,300; assuming that 60% of that coverage is related to inspection services provided to Rio Dell, the net cost would be \$1,980.

He explained the proposal establishes an administrative fee to be added as a percentage of the building permit fees beginning immediately with 15%, 28% the following year, 40% in 2015-16 and thereafter if necessary to raise program revenues to fully fund the program. He further explained that if at the end of any fiscal year program revenues are greater than expenditures, the surplus revenue would be deposited into a restrictive fund to be drawn against in future years where the revenue is less than expenditures. In the event revenues should accrue over time to \$20,000 or more, any amount over \$10,000 would be used to reduce the Building Department Administrative Fee accordingly.

Additional options were then reviewed for consideration which included:

1. Delete the requirement for the inspector to carry professional insurance coverage thereby shifting the liability and defense costs for claims filed against him to the City; or
2. Take the position that the cost of insurance should be considered as a "cost of doing business" thus not allowing him any reimbursement from the new administrative fees; or
3. Accept Arnie Kemp's letter of termination effective February 28, 2014 and direct staff to find a replacement to provide the service, either an individual or a public agency.

Upon further review of the building department revenues and expenditures, it was determined there was an error in the calculations, and that the percentage to be added to each building permit for the building program administrative fee would need to be recalculated.

A public hearing was opened at 6:57 p.m. to receive public comment on the concept of establishing Building Administrative fees to fund the Building Inspection Program.

Sharon Wolff addressed the Council stating that in the past the City utilized the services of the County Building Department and even if it does cost more for the service, it would be worth it to have a competent building inspector.

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Roger Barisdale commented that without annexation of additional lands to the City, he doesn't foresee much potential for growth with regard to building.

There being no further public comment, the public hearing closed at 7:00 p.m.

Councilmember Johnson commented that he likes the idea of the Building Inspection Program being self-supporting and the concept for establishing a trust fund in the event the revenues exceed the expenditures.

Mayor Pro Tem Wilson said he also would like to see the program self-supporting but would like to see how the City's building permits fees compare to other local jurisdictions. He said if the insurance is needed to keep the inspection program going, it might be necessary for the City to pick up the cost under the first step and bring the matter back to Council for further consideration during the next budget process.

City Manager Stretch noted that the first step for a 15% administrative fee imposed on all building permits would cover the current insurance costs.

Councilmember Woodall questioned the reason for implementing the administrative fee in steps.

City Manager Stretch said the idea was to ease the fee in over a three year period but if the Council prefers, the fee could be stepped up to over a shorter time frame.

Councilmember Marks commented that she has been getting a lot of building permits lately and the last permit was only \$25.50. She said residents don't realize how good they have had it. She said she would support being more aggressive with the administrative fee, provided staff has the data to back up the cost of providing the service.

City Manager Stretch offered to make the correction to the calculations based on implementation of the full fee over a two year period and bring the item back at the next meeting on February 18th including permit fee comparisons from other agencies.

Motion was made by Marks/Woodall to direct staff to bring the matter back at the next meeting including liability and errors and omissions insurance costs at 60%; in the meantime to authorize reimbursement for those insurance costs to Arnie Kemp (Kemp Inspection Services) for the amount necessary to carry on the Building Inspection Program. Motion carried 4-0.

ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

Introduce and Conduct First Reading (by title only) of Ordinance No. 317-2014
Amending Section 2.60.030(4) of the Rio Dell Municipal Code Changing the Planning
Commission's Monthly Regular Meetings from the 4th Wednesday of the Month to the 4th
Thursday

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Community Development Director Caldwell provided a brief staff report and said at the request of one of the Planning Commissioner's at their last meeting; the Planning Commission considered and discussed changing the regular monthly meeting date because of an apparent conflict for one of the Commissioners with the Wednesday meetings. He said after a fairly lengthy discussion, the Planning Commission voted 4-1 to recommend to the City Council that the regular meeting date be changed from the fourth Wednesday to the fourth Thursday of each month.

Councilmember Johnson asked if the Commissioner with the dissenting vote would be able to attend the meetings on Thursdays. Community Development Caldwell commented that she indicated there may be a potential conflict and couldn't promise she would be available for every meeting.

Councilmember Woodall commented that she found it strange to change the meeting date because of one request when another Commissioner is not in support of the change.

A public hearing was opened to receive public comment on the proposed ordinance.

Planning Commissioner Nick Angeloff stated for clarification that there was a lengthy discussion by the Commission and not until after the decision was made to recommend the date be changed to Thursday did it come up that there may be a possible conflict.

There being no further public comment, the public hearing closed.

Motion was made by Johnson/Marks to introduce and conduct the first reading (by title only) of Ordinance No. 317-2014 Amending Section 2.60.030(4) of the Rio Dell Municipal Code (RDMC) changing the Planning Commission's monthly regular meeting from the fourth Wednesday of the month to the fourth Thursday of the month. Motion carried 4-0.

Continue Public Hearing, Introduction and First Reading (by title only) of Ordinance No. 312-2014 Amending Current Home Occupation Regulations to the Meeting of February 18, 2014
Community Development Director Caldwell stated that staff is recommending this item be continued to the next regular meeting on February 18, 2014 to allow for some additional revisions to the draft ordinance.

Motion was made by Woodall/Johnson to continue the public hearing, introduction and first reading (by title only) of Ordinance No. 312-2014 Amending Home Occupation Regulations to the meeting of February 18, 2014. Motion carried 4-0.

REPORTS/STAFF COMMUNICATIONS

City Manager Stretch reported on recent activities and events and said what staff thought to be a major water leak under the north bridge turned out to be a pipe that had pulled apart and Wendt

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Construction was able to make the necessary repairs much easier than anticipated. With regard to the current drought situation, he reported that Water Superintendent Jensen was out sick and unable to put together the information requested at the last meeting; he said the information will be provided at the February 18th meeting. He said at the next meeting he will also be bringing forward a review and status report on the Water Fund; noting that due to additional legal fees Capital purchases in the Water department will need to be trimmed.

He also reported that the Rio Dell School Board will be meeting on February 12th and will be discussing the proposal to gift to the City a portion of school property as previously discussed. He said should the Board approve the proposal; staff will follow up with regard to the survey. He then reported that two of the appraisals on the water fund properties were completed; the Metropolitan site containing the wells was appraised at \$48,000; the parcel on Bellevue at \$50,000. He noted that the appraisal of the Monument Spring site is still outstanding.

City Manager Stretch further reported that related to the Wastewater Rate changes, Prop 218 requires a 45 day notice sent to all property owners and rate payers prior to holding the public hearing which brings it to either the April 1st or April 15th regular meeting.

Councilmember Marks asked if a traffic study is needed before a 4-way stop can be considered for Douglas and Pacific. City Manager Stretch indicated that a study would be needed.

Councilmember Marks also asked if Water/Roadways Superintendent is still working on a plan to establish different levels of repairs for street improvements.

Councilmember Johnson commented that the public works department recently did some cleaning of the sewer line at DJ's Burger Bar and asked whose responsibility it is to keep the lines cleaned.

City Manager Stretch responded that the City is responsible for the line from the City right-of-way to the main and the property owner is responsible for their lateral.

Councilmember Johnson asked is there a grease trap to prevent grease from plugging the lines.

City Manager Stretch commented that the Wastewater Superintendent has been working with them on a plan and stated this particular problem was the result of a break in the line rather than a grease problem.

Councilmember Johnson also commented that although he is not a Traffic Engineer, he believes a Traffic Engineer would recommend against the installation of Stop signs to control speed. He did think it would be a good idea to place the speed trailer in the area of Pacific Ave. and Douglas St. the next time the Police Department borrows the equipment to see if it is effective in slowing traffic.

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Community Development Director Caldwell reported on recent activities in the Planning Department and said the Planning Commission will be holding a study session on February 13th for the purpose of continuing review and discussion of the Land Use Matrix; on the next City Council agenda he would be bringing forward Home Occupations, Address of Convenience and Cottage Industry regulations. He said he is also working on an adjusted fee schedule for Project Development Review Fees; actually reducing some of the deposit amounts to bring them more in line with the actual cost of providing the service.

Community Development Director Caldwell also reported he was working on a lot line adjustment application for the parcels south of Moore Fuel between Wendt and McWhorter; a zone reclassification on Rigby Ave. to comply with the State mandate to allow 15 units per acre, density bonus provisions and provisions for transitional housing.

Councilmember Johnson questioned the status of the proposed Danco Project. Community Development Director Caldwell said the latest information he had was that Danco was still waiting to hear from the State regarding the grant. He announced that the Dollar General planned to close on the property on Friday and that an out-of-state contractor was selected as the General Contractor for the project.

COUNCIL REPORTS/COMMUNICATIONS

Councilmember Johnson reported that he and City Manager Stretch, in the absence of Mayor Thompson will be attending the next HWMA meeting on hauling and disposing of garbage.

Mayor Pro Tem Wilson commented that during the past month or so the attendance at City Council meetings has increased which is healthy for the City; he encouraged citizens to continue to attend.

ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 7:30 p.m. to the February 18, 2014 regular meeting.

Frank Wilson, Mayor Pro Tem

Attest:

Karen Dunham, City Clerk

*Rio Dell City hall
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
riodellcity.com*



February 18, 2014

TO: Honorable Mayor and City Council

FROM: Jim Stretch, City Manager

SUBJECT: Declare (2) Real Properties of the Water Fund Surplus to the City and available for sale

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Declare real estate parcels identified by Assessor's parcel Numbers 205-111-026 and 205-111-027 as surplus to City use and available for sale, and
2. Authorize the City Manager, if necessary, to enter into real estate agent sales agreements with one or more Real Estate Broker and negotiate commissions for the sale of the (2) properties, and
3. Direct City staff to consult with City Attorney as to the surplus property process, and
4. Let it be known to the public that the City Council retains the authority unto itself to accept or reject any offer for the purchase of surplus City property.

BACKGROUND AND DISCUSSION

On September 17, 2013 the City Council took an action to declare (2) Water Fund Properties surplus and authorized real property appraisals to be conducted in anticipation of the properties being offered to the public for sale. The properties were located on Belleview Road and Old Ranch Road, the latter often referred to as Monument Springs. Those appraisals have been completed and the City Manager is presently working with the City Attorney on the rather complicated legal process to sell them.

The Water Fund has ownership of two (2) additional properties (.53 acres) on Northwestern Avenue that are no longer used by the fund. These are the old water well sites that were abandoned in 2006 when the City acquired water rights for an infiltration gallery in the Eel River. The Council will recall that the water from the wells were very high in manganese and iron and had to be abandoned. However, the wells may have value for a non-potable commercial water use.

Rio Dell Municipal Code section 3.40.040 (e) sets forth the policy of the City regarding surplus real estate property. "All activity involving the declaration and sale of surplus real estate shall require authorization by the City Council regardless of the actual or estimated value." And, Code

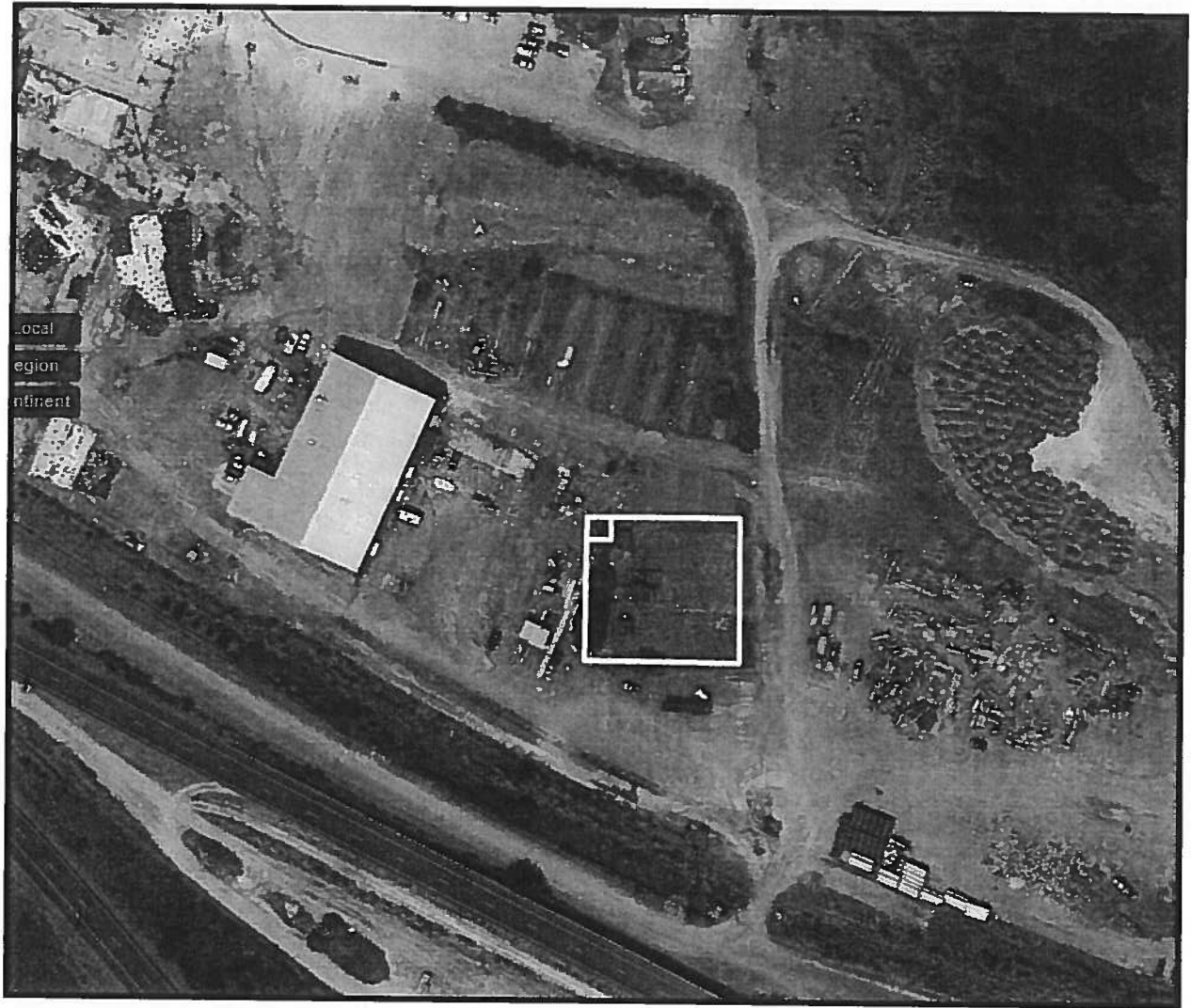
Section 3.40.040 (2) provides in part that the proceeds from the sale of property shall be deposited into the appropriate fund; the Water Fund in this case.

Code section 3.40.040 (1) (c) (ii) provides that surplus may be offered for sale for the highest estimated market value and sold by public auction, electronic auction or sealed bid. In this case the City Manager is recommending that authority be delegated so that the services of a Real Property Broker can be retained, if necessary, and that the Council delegate the authority to the City Manager to negotiate commissions as appropriate and sign the real estate agent sales agreements

The City Manager has determined that other City departments have no use for the properties, and therefore recommends that the Council declare them surplus and offer them for sale to the public at the highest price.

An aerial maps of the properties recommended for surplus declaration is attached.

The City Manager is prepared to answer any question that the Council or the public may have on this item.



Eel River Industrial Park Parcels

APN's 205-111-026 & -027

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February 18, 2014

TO: Rio Dell City Council

FROM: Jim Stretch, City Manager

SUBJECT: Accept Conditions for Gift of Rio Dell School District Property

IT IS RECOMMENDED THAT, IN EXCHANGE FOR THE CITY OF RIO DELL RECEIVING A GIFT OF 3.39 ACRES FROM THE RIO DELL ELEMENTARY SCHOOL DISTRICT TO BE USED FOR COMMUNITY RECREATION:

1. The City of Rio Dell agrees to fund the costs for: 1.) surveying the property, 2.) preparing the legal documents, legal fees and other costs related to the property transfer, and 3.) fencing the property, and
2. Direct the City Manager and City Attorney to do what is necessary and proper for both agencies to complete the transfer.

BACKGROUND AND DISCUSSION

Since October 10, 1980 the City and the Rio Dell District School Board have had an Joint Powers Agreement whereby the City would apply for grant funds to establish recreational opportunities for the community on section of their school site in exchange for the school's priority use of the site during normal schools hours. The agreement expired in 2009, but the relationship has continued nonetheless.

Over the years there have been discussions about transferring ownership of the area used for tennis courts, a parking lot, Little League Baseball field, concession stand and restroom, and a small park area to the City. It seems that both parties have been willing to complete the transfer, but other priorities have gotten in the way and it didn't get done.

Recently it was determined that the present District School Board and City Council still embrace the ownership transfer and so staff members have met to move the idea forward. On February 12, 2014 the District School Board determined their willingness to transfer ownership, conditioned on the City funding the following costs:

1. Surveying the property
2. Preparing and filing documents necessary for the transfer
3. Legal expenses related to the transfer, and
4. Fencing the property.

A fencing contractor has been asked to quote a price for the fencing, which may not be received by the Council meeting.

It is recommended that the City Council accept these conditions and direct the City Manager and City Attorney to do what is necessary and proper to complete the transfer.

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February 18, 2104

TO: Rio Dell City Council

FROM:  Jim Stretch, City Manager

SUBJECT: Establish Building Department Administrative Fees to Recoup Cost

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Direct staff to prepare the required notice for a public hearing on establishing Building Department Administrative fees for the March 4, 2014 City Council meeting, and
2. Receive and file this report

FOREWARD

This report is intended to engender a discussion of the proposed Building Department Administrative fees, slated for a public hearing and adoption by the City Council on March 4, 2014.

BACKGROUND AND DISCUSSION

In some jurisdictions the Building Inspection Program is totally supported by user fees; i.e. parties who require building inspection services pay for them and other residents of the City do not subsidize the cost. The Building Inspection Program in Rio Dell is not on a self-supported basis, generally running a deficit in excess of \$22,000/year depending on building activity.

During the 2013-14 budget hearings the City Council addressed this issue and directed staff to develop a concept to allow the service to be provided without a general fund subsidy. The recommendation set forth above is intended to address the imbalance between building program revenue and expenditures and provide financial stability to the program.

On February 4, 2014 the City Council considered staff's recommendation on stabilizing the revenue program for the building inspection program and approved it in concept. However, the building program administrative fee was understated and staff was directed to make the correction and perhaps implement the full fee over a shorter period of time.

THE SITUATION

In particular, the building inspection department budget for 2013-14 totals roughly \$54,500. In a recent negotiation with Arnie Kemp for a new professional services contract the matter of professional liability insurance coverage was introduced as a requirement. He determined that he could not afford the insurance and gave the City a termination notice. That notice has been extended to February 28, 2014.

A local Insurance Broker quotes a price for Mr. Kemp for general liability and errors and omissions coverage required in the draft agreement at \$3,300 for the year. Assuming that 60% of that amount is related to his Rio Dell services agreement (\$1,980), the total program cost would increase to \$56,480, but is only offset by approximately \$34,000 of revenue. That leaves \$22,480 (66%) of the cost of the program being shouldered by the general taxpayer.

THE PROPOSAL

The proposal is to establish an administrative fee to be added as a percentage of the building permit fees beginning with 33% to be effective 60 after the Council approved the Resolution establishing the fees and 66% effective July 1, 2014 and thereafter. The purpose of the administrative fee is to increase building program revenues to a level that will fully fund the program.

A provision to stabilize the funding for the building inspection program is included in the recommendation, whereby, if at the end of any fiscal year program revenues are greater than expenditures, the surplus revenue would be deposited in a restrictive fund to be drawn against in future years where the revenue is less than expenditures. And, in the event revenues should accrue over time to \$20,000 or more at the end of a fiscal year, the amount over \$10,000 would be used to reduce the "Building Department Administrative Fee" accordingly.

Likewise, if revenue in the "Building Department Trust Fund" after initially reaching \$10,000 or more then falls below \$10,000 at the end of any fiscal year, the "Building Department Administrative Fee" shall be adjusted (increased) by an amount estimated to achieve a balance of at least \$10,000 by the end of that fiscal year.

JURISDICTIONAL PERMIT FEE COMPARISONS

At the study session on this topic, the City Council requested comparative building permit fee information for the City of Fortuna and the County of Humboldt. That

comparison was compiled by the City Clerk and is attached to this report. As you may note, the plan check and building permit fees for a 1280 sq. ft. residence in Rio Dell is currently \$2,811.68. That same permit in the City of Fortuna is \$4,953 and \$4,535.33 in the County's jurisdiction. Applying the proposed administrative fee of 66% to our current fees, the cost for the City of Rio Dell permit and plan check would be \$4,667.39—right in the ball park.

The City Clerk also gathered the particulars about a number of separate fees charged by other agencies (attached) that Rio Dell has not implemented. The proposed 66% administrative fee is apparently equal to the basic fee of others, including all of their miscellaneous fees.

OPTIONS

The recommended action presented to the Council is responsive to its directive, which was to make the program self-supporting effective July 1, 2014. The implementation of the administrative fee is recommended to be stepped-in at 33% this fiscal year and the remaining 33% July 1, 2014. The Council may either lengthen the implementation period or make the fee effective in its entirety 60 days after the adoption of Resolution 1218-2014.

Building permit fees are not subject to the Proposition 218 protest process, but are subject to the public hearing process.

THE RECOMMENDATION

The March 4, 2014 staff report as drafted contains the following recommendations:

1. Conduct a public hearing on establishing "Building Department Administrative Fee" in the amount of 33% of all plan check and building permit fees effective 60 days after the adoption of the establishing Resolution and 66% of all plan check and building permit fees effective July 1, 2014 and thereafter, and
2. Direct that the revenue collected from the administrative fee shall be deposited in a revenue account entitled "Building Department Administrative Fee" for the purpose of fully funding the activities of the Building Department, including the professional insurance requirements of a contract building inspector attributable to the City, or to cover the additional costs of such services charged to the City by another public agency, and
3. Direct that in any fiscal year that the total revenue from building plan check and building permits fees is greater than the gross cost of the department, the additional revenue shall be deposited into a "Building Department Revenue Trust Fund" to be used in future years when revenues fall short of covering the total cost of the program, and

4. a). Direct that, if the revenue in the “Building Department Trust Fund” accrues at the end of any fiscal year to \$20,000 or more, the Fund shall be reduced to \$10,000 by applying the amount in excess of \$10,000 to reduce the “Building Inspection Administrative Fee” for the ensuing fiscal year.

b). Direct that, if the revenue in the “Building Department Trust Fund” after initially reaching \$10,000 or more then falls below \$10,000 at the end of any fiscal year, the “Building Department Administrative Fee” shall be adjusted (increased) administratively by an amount estimated to achieve a balance of at least \$10,000 by the end of the fiscal year, and
5. Adopt Resolution 1218-2104 to establish the Building Department Administrative fee and the Trust Fund Mechanism to increase and stabilize the building inspection revenue program.

EFFECTIVE DATE FOR FEES IF APPROVED

The effective date for the new fees, if approved, is set by State law at 60 days after adoption by the Council, or May 5, 2014.

Cc: Arnie Kemp, Contract Building Inspector
Kevin Caldwell, Community Development Director
City Clerk, Karen Dunham
Finance Department

RESOLUTION NO. 1218-2014

A RESOLUTION ESTABLISHING ADMINISTRATIVE FEES FOR THE CITY BUILDING PROGRAM FOR THE PURPOSE OF GENERATING REVENUE SUFFICIENT TO FULLY FUND THE PROGRAM

WHEREAS; the City of Rio Dell is authorized by the California Constitution and the California Government Code Section 66014 to impose fees to cover expenses for the services it provides, with the proviso that the fee may not exceed the estimated reasonable cost of providing the service ; and

WHEREAS; during the fiscal year 2013-14 Budget Hearings the Rio Dell City Council gave staff direction to develop a conceptual administrative fee program for their consideration in order to put the building plan check, permit issuance and inspection program on a fee for service basis with no General Fund subsidy; and

WHEREAS; on February 4, 2014 the City Council of Rio Dell received a staff report and conducted a public study session on establishing building department administrative fees to enable the building program to become self-supporting for plan checks, building permit issuance and inspections, directing that an agenda item be prepared for a public hearing on the proposed Building Department Administrative Fee.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Rio Dell that Administrative Fees for the City Building Program related to plan checks, permit issuance, building inspections and the administration thereof as follows:

1. Building Department Administrative Fees shall be established in the amount of 33% of all plan check and building permit fees 60 days after the adoption of this Resolution and 66% of all plan check and building permit fees effective July 1, 2014 and thereafter.
2. Revenue collected from the administrative fees shall be deposited in a revenue account entitled "Building Department Administrative Fees" for the purpose of fully funding the activities of the Building Department, including the professional insurance requirements of a contract building inspector attributable to the City, or to cover the costs of such contract services charged by another individual or public agency.
3. If, at the end of any fiscal year, the total revenue from all Building Department sources is determined to be greater than the gross cost of the Building Department, the total amount of revenue determined to be greater than the gross cost shall be deposited into a "Building Department Revenue Trust Fund" to be used in future years when revenues fall short of covering the annual cost of the program.

4. If, at the end of any fiscal year, the balance in the “Building Department Trust Fund” accrues to the amount of \$20,000 or more, the Fund shall be reduced to \$10,000 by applying the amount in excess of \$10,000 to reduce the “Building Inspection Administrative Fees” for the ensuing fiscal year.
5. a). Direct that, if the revenue in the “Building Department Trust Fund” after initially reaching \$10,000 or more then falls below \$10,000 at the end of any fiscal year, the “Building Department Administrative Fee” shall be adjusted (increased) administratively by an amount estimated to achieve a balance of at least \$10,000 by the end of that fiscal year.

b). If, by the end of the fiscal year the adjustment proves not to be adequate to achieve a balance of at least \$10,000, the fees shall be administratively adjusted to achieve a balance of at least \$10,000 by the end of that fiscal year.

PASSED AND ADOPTED by the City Council of the City of Rio Dell on this 4th day of March, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jack Thompson, Mayor

Attest:

Karen Dunham, City Clerk

BUILDING PERMIT FEES/COMPARISONS						
TYPE OF PERMIT	AGENCY	PERMIT FEE	VALUATION	BASIS FOR CALCULATION	NOTES/COMMENTS	
Single Family Residence	City of Rio Dell	\$2,811.68	\$149,667	Building Valuation Table		1280 sq ft/484 sq ft garage
	City of Fortuna	\$4,953.49		Cost-Base Fee Structure	40% General Fund Subsidy	* See Note Below
	City of Arcata			Cost-Base Fee Structure		
	City of Eureka	\$3,174.86	\$151,110	Cost-Base Fee Structure		Same Approx. size/valuation
	County of Humboldt	\$4,535.33	\$149,667	Valuation & Cost-Base	** See Note Below	1280 sq ft/484 sq ft garage
100 Amp Elect. Upgrade	City of Rio Dell	\$70.25				
	City of Fortuna	\$123.15				
	City of Arcata	\$101.00				
	City of Eureka	\$90.00				Minimum permit fee-\$90.00
	County of Humboldt	\$96.05			*** See Note Below	
* The City of Fortuna charges a \$40.00 permit issuance fee and a \$43.15 admin. fee on every permit						
** The net permit fee for the County = \$2,815.59 (\$4.31 difference) before they add 10 additional misc. fees						
*** County Electrical fee = \$70.25 (same as Rio Dell) + \$25.80 in misc. fees						
ADDITIONAL NOTES: The permit fees for the same 9,100 sq. ft. Dollar General Store in Fortuna are approx. \$4,000-5,000 higher than Rio Dell's fees.						

*675 Wildwood Avenue
Rio Dell, CA 95562*



Misc. Building Permit Fees Charged by Other Agencies

- Administrative Fee
- User Fee
- Technology Fee
- Green Building Plan Review & Inspection Fee
- Certificate of Occupancy Fee (\$60-\$75)
- New Address Assignment Fee (\$50-\$75)
- Energy Compliance Fee
- Encroachment Permit Fee
- Permit Fee Adjustments?
- Microfilm Fee
- Education Fee/AB 717 – Certification, training and continued education for building inspectors, building officials and plans examiners
(Section 18965-18971, Part 2.5 of Division 13 of Health & Safety Code)

Options for Increasing Building Department Revenue

- Establish Administration Fee based on actual staff time
- City retain 100% of all Building Permit Issuance fees
- Add Issuance Fee to Building portion of permit
- Increase Issuance Fee from \$24.00 to \$40.00
- Establish Certificate of Occupancy Fee
- Establish Address Assignment Fee
- Implement AB 717 Education Fee
- Research and explore implementation of other related fees and charges

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675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
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February 18, 2014

TO: Rio Dell City Council

FROM:  Jim Stretch, City Manager

SUBJECT: Approval of Agreement with Arnie Kemp for Contract Plan Check and Building Inspection Services

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Approve the attached agreement with Arnie Kemp for plan check and building inspection services, effective March 1, 2014.

BACKGROUND AND DISCUSSION

On February 18, 2009, the City Manager and Arnie Kemp signed an agreement for the provision of plan check and building inspection services to the City. In error, the agreement was not offered to the City Council for approval, but has been honored and in force since that date. A new agreement has been negotiated with the present City Manager and contractor with major provisions as follows:

1. Compensation to contractor under the agreement for plan check and building inspection services is basically an 80%-20% sharing of fees and charges paid, with the contractor receiving 80% (no change).
2. The full amount of fees collected for violation penalties, issuance and permit renewals and administrative fees are retained by the City (new).
3. Professional insurance coverages are required of contractor for general liability, automobile liability and professional liability (E&O) (new).
4. City is to establish administrative fees to be added to permit fees to reimburse contractor on a monthly basis for insurance requirements in the agreement.
5. Contractor is paid the 80% of fees in (4) installments (30%, 30%, 30%, 10%), after tasks identified in the agreement are completed (new).
6. Inspections not listed in the agreements as tasks are compensated at \$60/ per hour with a 1 hour minimum, up from \$50/hour (increase).
7. City records of building activity are to be kept current on a daily basis (new).

As the City Council was advised on February 4, 2014 in a study session on the topic, the Building Program has a budget of approximately \$54,500, including \$25,600 of fees on the average paid to the Arnie Kemp, which is offset by the estimated \$34,000 of revenue. The \$20,000+ difference between revenues and expenses has been subsidized by City residents who do not benefit from building activities. Accordingly, the Council approved in concept establishing building program administrative fees to be added to permit costs to close the gap, including the insurance cost of the contract building inspector under this agreement, estimated at \$2,000 annually.

The agreement recommended to the Council has been approved by the City Manager and Mr. Kemp and has been approved by the City Attorney as to legal form.

Cc: Arnie Kemp, Kemp Inspection Service



AGREEMENT TO PROVIDE BUILDING PLAN CHECK AND BUILDING INSPECTION SERVICES FOR THE CITY OF RIO DELL

This Agreement to Provide Building Plan Check and Building Inspection Service for the City of Rio Dell (this "Agreement") is made and entered into as of March 1, 2014 (the "Effective Date"), by and between the City of Rio Dell, a municipal corporation within the State of California (hereinafter referred to as "City" or "Rio Dell") and Arnold C. Kemp, doing business as Kemp Inspection Service, a private building inspection firm owned by Arnold C. Kemp, a sole proprietor (hereinafter "Kemp Inspection Service"). Where collective reference is intended, the City and Kemp Inspections Service are hereinafter referred to as the "Parties".

RECITALS

- A. WHEREAS**, the City is obligated to receive and process building (and related) permits within the jurisdictional boundaries.
- B. WHEREAS**, the City does not employ any person(s) licensed or qualified to conduct building and plan check inspections; and
- C. WHEREAS**, the City desires to contact with Arnold Kemp and Kemp Inspection Service, a licensed and independent building inspector who provides such services in the capacity as an independent contractor.

AGREEMENT

Now, therefore, for good and valuable consideration, the receipt of which is hereby acknowledged, the Parties agree as follows:

1. Kemp Inspection Service shall perform construction plan checks and building inspections when and as requested by the City in compliance with any and all

applicable provisions of the California Building Codes, (California Code of Regulations, Title 24) (CBC), including, without limitation, the California Building Code, California Residential Code, California Plumbing Code, California Electric Code and California Mechanical Code, California Energy Code, California Historical Building Code, California Fire Code, California Green Building Standards Code, Existing Building, California Referenced Standards Code. In performing such work, Kemp Inspection Service shall exercise the powers and duties of Rio Dell Building Inspector and Building Official in compliance with the Rio Dell Municipal Code and all applicable laws as aforementioned.

2. The City of Rio Dell shall give at least twenty-four (24) hour advanced notice to Kemp Inspection Service for requested inspections.
3. Kemp Inspection Service shall endeavor to provide services on a prompt and punctual basis, Monday through Friday, as requested by the City.
4. Kemp Inspection Service shall provide at least a one (1) week notice when Kemp Inspection Service is not available to provide services. At all times during the term of this Agreement, and during any period of unavailability, the City is free to contract with third parties to provide inspection services.
5. The City of Rio Dell shall furnish all forms necessary for administration and compliance of the California Building Codes, including but not limited to:
 - (a) Commercial Plan Checklist;
 - (b) Residential Plan Checklist;
 - (c) Sprinkler System Checklist;
 - (d) Pre-Site Inspection Checklist;

(e) Inspection Record Card; and

(f) Any other forms or documents reasonably necessary to complete building inspections.

6. The City of Rio Dell shall provide all maps and local ordinances required by Kemp Inspection Service to perform this Agreement without charge to Kemp Inspection Service.

7. The City of Rio Dell shall determine Building Permit Fees based on the California Building Code Valuation Data, and applicable municipal ordinances, in effect at the time of application.

8. Kemp Inspection Service shall conduct all inspections in a professional, expedient and courteous manner.

9. The City of Rio Dell shall pay Kemp Inspection Service under this Agreement sums equivalent to eighty percent (80%) of all Building Permit Fees actually collected by the City for Plan Check and Building Inspections actually performed by Kemp Inspection Service pursuant to the Fee and Payment Schedules recited in **Exhibit A** and **Exhibit B**, which are attached hereto and incorporated by reference. Said payment, along with the insurance cost reimbursement amount recited in Section ___ of this Agreement, below, shall constitute the City's total payment obligation for services rendered under this Agreement and shall represent payment in full for all costs and expenses associated with providing the services under this Agreement including, but not limited to, transportation expense, continuing education, reference materials and periodicals, training, membership dues, insurance costs, licensure fees, tools and equipment.

10. Kemp Inspection Service shall submit to the City by the first work day of each month during the term of this Agreement the completed plan check and inspection

services verifications performed for the prior month and the City shall pay for services rendered within ten (10) days of the receipt of the required verifications in accord with this Agreement and the schedules attached hereto as **Exhibits A and B**.—Permit fees collected by the City for any code violations, penalties for work started without required permits, permit renewal fees and administrative fees are and shall be the exclusive property of the City and shall not be shared with Kemp Inspection Service. Furthermore, plan checks and inspections subcontracted out by Kemp Inspection Service as the result of the complex or specialized nature of the plan or construction shall be paid by Kemp Inspection Service as provided by the payment schedule **Exhibits A and B**, and Kemp Inspection Service shall hold the City harmless from any costs and expenses associated therewith.

11. The City of Rio Dell shall keep all Plan Check and Inspection records completed by Kemp Inspection Service and all such files and records shall be kept and maintained at the City offices in the City of Rio Dell. Kemp Inspection Service shall endeavor to update all City Building Inspection records at City Hall on a daily basis. In the event time constraints require Kemp Inspection Service to retain records overnight, he shall return them to City offices on the next available business day.

12. Kemp Inspection Service shall maintain current Building Inspector and Plans Examiner Certifications from the International Code Council (ICC).

13. All Inspections shall be scheduled by the public through the City Clerk and the City Clerk shall notify Kemp Inspection Service of all calls for inspection service.

14. This Agreement with Kemp Inspection Service cannot be subcontracted out without the express written consent of the City of Rio Dell. Kemp Inspection Services will not seek to subcontract any services unless Kemp Inspection Service does not possess the proper certification or license due to the technical nature of the plans, engineering or construction.

15. This Agreement shall become effective on the Effective Date and shall remain in effect until terminated pursuant to the provisions of paragraph sixteen (16).

16. This Agreement may be terminated by either party, for any reason, upon thirty (30) days prior written notice to the other party. In the event of termination, Kemp Inspection Service shall be entitled to all payments due for services actually rendered prior to notice of Agreement termination, and during the thirty (30) day period thereafter in accord with the payment schedule(s) established by this Agreement.

17. Kemp Inspection Services agrees to indemnify, defend and hold harmless the City of Rio Dell from and against any and all claims, demands, damages, costs, and expenses (including, without limitation, attorney fees) (collectively "Liabilities") arising out of any wrongful acts, errors or omissions, or negligence of Kemp Inspection Service, its agents, employees and subcontractors, in the performance of this Agreement. The City agrees to indemnify, defend and hold harmless Kemp Inspection Service from and against any and all claims, demands, damages, costs, and expenses (including, without limitation, attorney fees) (collectively "Liabilities") to the extent such Liabilities actually arise out of any wrongful acts, errors or omissions, or negligence of the City of Rio Dell, its agents (excluding Kemp Inspection Service and its agents, employees and subcontractors) and employees, in the performance of this Agreement.

18. Kemp Inspection Service shall procure and maintain for the duration of this Agreement insurance against all claims for injuries to persons and/or damage to property which may arise from, or in connection with, the performance of the work hereunder by Kemp Inspection Service as follows:

Minimum Scope and Limit of Insurance. Coverage shall be at least as broad as:

- a. Commercial General Liability (CGL): Insurance Services Office Form CG 00 01 covering CGL on an "occurrence" basis for bodily injury and

property damage, including products-completed operations, personal injury and advertising injury, with limits no less than **\$1,000,000** per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately or the general aggregate limit shall be twice the required occurrence limit.

- b. Automobile Liability: Insurance Services Office Form Number CA 0001 covering, Code 1 (any auto) with a limit no less than **\$1,000,000** per accident for bodily injury and property damage.
- c. Professional Liability (Errors and Omissions) Insurance with a limit of no less than **\$1,000,000** per occurrence or claim, **\$2,000,000** per aggregate.

Kemp shall maintain proof of such insurance on file with the City at all times during the term of this Agreement. If Kemp Inspection Service maintains higher limits than the minimums shown above, the City shall be entitled to coverage for the higher limits maintained by Kemp Inspection Service.

19. The City shall reimburse Kemp Inspection Service on a monthly basis for the City's share of the insurance cost for the policies set forth in section 18 above, which is currently estimated to be sixty percent (60%) of the insurance policy premium applicable to a twelve (12) month policy period. To determine this sum, the total annual cost of the insurance premiums for a twelve month policy period will be added, then divided by twelve (12) and multiplied by sixty percent (60%) to calculate twelve (12) equal monthly payments. The City's monthly payment obligation shall not exceed more than sixty percent (60%) of the insurance policy premium (prorated over a twelve (12) month policy period) during the term of this Agreement. The City's cost shall be determined by a fair allocation and proportion determination of the amount of Kemp's work for the City. If either Kemp Inspection Service or the City terminates this Agreement, the City's

insurance payment obligation will automatically cease once notice of termination is issued in accord with Section 16, above.

20. Kemp Inspection Service acknowledges that it shall serve as an **independent contractor** relative to the provision of services under this Agreement, and not as an employee of the City of Rio Dell. As such, Kemp Inspection Service shall be solely and separately liable for all Liabilities arising out of its services in accord with Section 17 of this Agreement above. Kemp Inspection Service shall control all aspects related to the performance of its work under this Agreement, and shall provide all expertise, skill, licensure, tools, equipment and other requirements necessary to perform the work.

IN WITNESS WHEREOF, Kemp Inspection Service and the City of Rio Dell agree to the terms herein and have duly executed this Agreement on the date written above.

Arnold C. Kemp, Kemp Inspection Service

James R. Stretch
City Manager
City of Rio Dell

EXHIBIT A

	TASK	DELIVERABLE
1.	<u>Plan Check</u>	Completed and Approved Plan Checklist <u>submitted to the City Clerk.</u>
PAYMENT #1 (30% OF 80% OF PERMITTING FEE) PLAN CHECK FEE		
2.	<u>Site and Foundation Inspection:</u> Setbacks, excavations, forms, reinforcement and under floor access.	Completed Inspection Record Card and Field Notes <u>submitted to the City Clerk.</u>
3.	<u>Under Floor Inspection:</u> Rough plumbing, heating and mechanical (water, waste water and gas piping strapped and under test; heat ducts installed, supported and insulated).	Completed Inspection Record Card and Field Notes <u>submitted to the City Clerk.</u>
4.	<u>Under Floor Insulation Inspection:</u> Verify required under floor insulation.	Completed Inspection Record Card and Field Notes <u>submitted to the City Clerk.</u>
PAYMENT #2 (30% OF 80% OF PERMITTING FEE)		
5.	<u>Framing, Shear and Roof Nailing Inspection:</u> Includes framing, bracing, roof and floor sheathing.	Completed Inspection Record Card and Field Notes <u>submitted to the City Clerk.</u>
6.	<u>Close-In Inspection:</u> Siding, roofing, windows, rough plumbing water (under test), rough electrical and mechanical installed and complete.	Completed Inspection Record Card and Field Notes <u>submitted to the City Clerk.</u>
7.	<u>Insulation Inspection:</u> Verify wall and ceiling insulation.	Completed Inspection Record Card and Field Notes <u>submitted to the City Clerk.</u>
8.	<u>Drywall, Lath Inspection:</u> Verify drywall,	Completed Inspection Record Card

	sheetrock, lath installation (interior and exterior) before tape, texture, plaster or stucco is applied.	and Field Notes <u>submitted to the City Clerk.</u>
PAYMENT #3 (30% OF 80% OF PERMITTING FEE)		
9.	<u>Final Electrical, Plumbing and Mechanical Inspection:</u> Required before utilities are connected to the structure.	Completed Inspection Record Card and Field Notes <u>submitted to the City Clerk.</u>
10.	<u>Final Inspection:</u> Construction is complete, all appliances, electrical fixtures, convenience outlets, switches and plates are in place.	Completed Inspection Record Card and Field Notes <u>submitted to the City Clerk.</u>
PAYMENT #4 (10% OF 80% OF PERMITTING FEE) FINAL PAYMENT		

EXHIBIT B

	TASK	DELIVERABLE	COMPENSATION
1.	<u>Electrical, Plumbing and Mechanical Permit Inspections</u>	Completed Inspection Record Card and Field Notes <u>submitted to the City Clerk.</u>	80% of the required <u>and</u> paid Building Permit fee.
2.	<u>Roofing Permit Inspections</u>	Completed Inspection Record Card and Field Notes	80% of the required <u>and</u> paid Building Permit fee.
3.	<u>Grading Permit Inspections</u> not subject to General Permits and Storm Water Pollution Prevention Plan (SWPPP) required by the Regional Water Quality Control Board (RWQCB).	Completed Inspection Record Card and Field Notes <u>submitted to the City Clerk.</u>	80% of the required <u>and</u> paid Building Permit fee.

4.	<u>Demolition Permits</u>	Completed Inspection Record Card and Field Notes <u>submitted to the City Clerk.</u>	80% of the required <u>and</u> paid Building Permit fee.
5.	<u>Re-Inspections</u>	Completed Inspection Record Card and Field Notes <u>submitted to the City Clerk.</u>	No charge for first re-inspection. 80% of the required <u>and</u> paid \$75.00 Re-Inspection fee.
6.	<u>Life Safety Inspection</u>	Completed Life Safety Inspection Checklist <u>submitted to the City Clerk.</u>	80% of the required <u>and</u> paid \$75.00 (current fee) Life Safety Inspection fee.
7.	<u>Inspections Not Listed Above</u>	Completed Inspection Record Card and Field Notes <u>submitted to the City Clerk.</u>	\$60.00 per hour. (1 hour minimum)

*Rio Dell City hall
675 Wildwood Avenue
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(707) 764-3532
riodelcity.com*



February 18, 2014

TO: Honorable Mayor and City Council

FROM: Jim Stretch, City Manager

SUBJECT: Water Fund Financial Review and Adjustments

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Adopt the budget adjustments set forth in Attachment "A"

BACKGROUND AND DISCUSSION

As the result of recent unexpected expenditures for emergency permits and unanticipated engineering and legal costs experienced by the Water Fund, there has been concern that the fund may need a loan from the General Fund in order to pay its bills. That item was pulled by the City Manager at a recent Council meeting for a closer look.

A more in-depth review reveals that the Water Fund may not need General Fund assistance for this year if several capital expenditures are deferred and a number of line item adjustments are made. However, water rate adjustments must be made as soon as possible to meet immediate needs.

The budget review indicates that expenditures in the Operations budget could be \$38,000 less than budgeted and revenues will likely be \$42,600 more than anticipated. The net result of these two items will increase the Water Fund Reserve by \$80,600.

Similarly, the 2013-14 Capital and Special Projects budget includes Water Fund projects totaling \$175,350. A review of each item suggests the following action:

<u>Project</u>	<u>Budget \$</u>	<u>Suggested Status</u>
1. Infiltration gallery infiltration study	\$61,000	Increase to \$82,100

Project	Budget \$	Suggested Status
2. Old Ranch Road line replacement	\$5,400	Add \$10,000 revenue for reimbursement, to include parts & labor.
3. Infiltration gallery generator	30,000	Defer until Spring
4. City Hall sprinkler system-share	4,960	Spent \$4,573
5. Public Works roller-share	7,500	Defer until 2014-15
6. PW bobcat w/attachments-share	7,000	Defer until 2014-15
7. Administrative car-share	7,440	Spent \$6,573
8. Riverside lateral replacement	35,000	All spent
9. Council chambers video-share	5,580	Defer until 2014-15
10. City Hall roof/windows-share	11,470	Est. \$9,000 cost
11. Used ¾ ton pick-up-share	<u>0000</u>	<u>\$2,526 cost unbudgeted</u>
Totals	\$175,350	\$175,472 (no change)

The \$80,712 identified above from budget savings and the over-realization of revenues in the operations budget is available for transfer to the Water Fund Reserve, bringing the projected balance the Operations Reserve as of July 1, 2014 up from \$21,760 to \$102,238.

With these adjustments and deferrals, the Water Fund is projected to be in the black this year.

There are two other positive notes to make. Before the end of the fiscal year the City Council should have analytical information available to consider for rate adjustments in water user rates for capital requirements. As you are aware, there are currently no monies generated from the rate structure to fund improvements and replacements for such things as waterlines and mains, pumps, infiltration gallery, water tanks or any other capital asset in the water system last valued at \$12,836,554 in 2010 *.

The second good news item is that the appraised value of the 4 parcels owned by the Water Fund presently in the process of being leally surplused for sale have a collective value of approximately \$198,000. Once sold, this revenue will be deposited in the Water Capital Fund which was projected at the beginning of the fiscal year to have a zero balance as of July 1. 2014.

*City of Rio Dell Water System Asset Management Plan and Preliminary Capital Improvement Plan-October 2010, Winzler & Kelly.

ADJUSTMENTS TO VARIOUS REVENUE
AND EXPENDITURE ACCOUNTS
IN WATER FUND
February 18, 2014

PROJECTED EXPENDITURE		
\$ AMOUNT		
(Over spent)		
<u>ACCOUNT</u>	<u>(Excess)</u>	<u>ACTION</u>
1. 5000 Full time salaries	\$20,000	Transfer \$13,500 to 5040 Transfer \$ 2,000 to 5112 Transfer balance \$4,500 to Operations Reserve
2. 5040 Health Insurance	13,500	Status change for employee
3. 5190 Chemicals	15,000	Transfer to Oper. Reserves
4. 5112 Legal	2,000	Legal expense over drawn
5. 5135 Maintenance-repairs	5,000	Transfer to Oper. Reserve
6. 5150 Electricity	5,000	Transfer to Oper. Reserve
7. 5164 Regulatory Fees	6,000	Transfer to Oper. Reserve
8. 5213 Vehicle repair	1,500	Transfer to Oper. Reserve
9. 5225 Public works-lab tests	<u>1,000</u>	Transfer to Oper. Reserve
Total \$ to Operations Reserve	\$38,000	
REVENUE		
<u>ACCOUNT</u>		
1. 4610 Water service	\$24,600	Increase Operating Reserve
2. 4630 Water service late fees	5,600	Increase Operating Reserve
3. 4635 Water shut off charges	2,400	Increase Operating Reserve
4. 4990 Misc. other	10,000	Reimbursement for Old Ranch Road line replacement
Total revenue account adjustments	<u>\$42,600</u>	

SUMMARY OF RECOMMENDED WATER FUND ADJUSTMENTS

Expenditures	\$38,000 savings	
Revenues	42,600 increase	
Capital projects	<u>0</u>	basically no change overall
Change in financial position	+\$80,600	(Assumes that the \$30,000 backup generator for the infiltration gallery will occur in the spring)

City of Rio Dell
Year-to-Date Budget Variance Report by Department (CC#3)
January 31, 2014

	Y-T-D Actual	YTD Budget	Budget Variance	Annual Budget	Annual Variance
00					
4310 Interest Income	0	0	0	0	0
4480 Insurance Premium Reimbursement	(35)	0	(35)	0	(35)
4610 Water - Service	317,470	518,797	(201,327)	518,797	(201,327)
4620 Water - Connection	5,400	10,800	(5,400)	10,800	(5,400)
4630 Water - Service Late Fees	12,593	16,000	(3,407)	16,000	(3,407)
4635 Shut Off Fees	3,665	3,900	(235)	3,900	(235)
4640 Water - Damage Replacement	1,014	400	614	400	614
4935 Gain/Loss on Disposal of Assets	8	0	8	0	8
4936 Bad Debt Recovery	525	500	25	500	25
4950 Misc -	10	0	10	0	10
4990 Misc - Other	140	0	140	0	140
4999 Revenue- Reserves	0	175,350	(175,350)	175,350	(175,350)
Total Revenue	340,790	725,747	(384,957)	725,747	(384,957)
5410 Interest Expense	65	0	(65)	0	(65)
5610 Bad Debt	4,212	6,250	2,038	6,250	2,038
7000 Operation Transfer	(30,000)	0	30,000	0	30,000
7005 Debt Service Transfer	(74,791)	0	74,791	0	74,791
8000 Reserve Allocation	0	5,452	5,452	5,452	5,452
Total Expenditures	(100,514)	11,702	112,216	11,702	112,216

WATER FUND REVENUES

City of Rio Dell
Year-to-Date Budget Variance Report by Department (CC#3)
January 31, 2014

	Y-T-D Actual	YTD Budget	Budget Variance	Annual Budget	Annual Variance
09 PUBLIC WORKS					
5227 Public Works - Equip. Repair	711	2,500	1,789	2,500	1,789
5229 Public Works - Equip. Rental	0	1,500	1,500	1,500	1,500
5410 Interest Expense	0	0	0	0	0
5514 Engineering	487	2,000	1,513	2,000	1,513
5520 Improvements	0	1,000	1,000	1,000	1,000
Total Expenditures	147,410	340,708	193,298	340,708	193,298

*Rio Dell City hall
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
cm@riodellcity.com*



February 18, 2014

TO: Rio Dell City Council

FROM: Jim Stretch, City Manager

SUBJECT: Water Fees, Rates and Charges Resolution Clarification

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Adopt Resolution No. 1217-2014 correcting and clarifying Water rate, Charges and Fees Resolution No. 1168-2012, then rescind Resolution 1168-2012, and
2. Direct staff to prepare amendments to the Rio Dell City Code to implement and make it compatible with Resolution 1217-2014.

BACKGROUND AND DISCUSSION

In 2012 the Rio Dell City Council adopted Resolution 1168-2012 which established water rates, fees and charges, including an annual inflation adjustment of 3% for water rates. It also included a Reconnection fee of \$40.00, \$60 and \$100 for successive reconnections. Staff has found that the intent and meaning of the Resolution is problematic because:

1. The terms "Rates" and "Charges" are used interchangeably, but mean different things, and
2. The example in the Resolution is confusing, if not incorrect, and
3. The annual inflation adjustment is stated to apply only to rates not charges or fees, and
4. The language in Reconnection Fee Section 10 was incomplete, causing monthly issues when attempting to collect delinquent charges.
5. Mobile home parks operators with RV spaces do not file the required monthly certification for recreational vehicles.

THE RECOMMENDED RESOLUTION DOES NOT INCLUDE ANY CHANGES IN THE CURRENTLY APPROVED WATER RATE STRUCTURE.

Here's what Resolution 1217-2014 is intended to do:

- a) The term "rates" applies to a cost per unit or a measured quantity and the term "charge" means a set price. Amend the Resolution to use the terms correctly.
- b) Identifies dollar values and uses correct symbols.
- c) Prepares new "Example" for computing a monthly bill for water use in a mobile home park, based on number of spaces, type of use and volume of water used.
- d) Clarifies that customers placed on the shut-off list will be charged a reconnection fee when City workers are in the process of turning off the water service. They will no longer be able to beat the charge by hurrying in to pay their delinquent amount when they see the PW crew approaching their property.
- e) Makes clear that the City's water license from the State for Eel River water extraction requires that it be used only within the City limits.
- f) Allows Mobile home Parks that rent transient RV spaces to file retrospectively for a credit, based on actual experience.

In staff's review of this Resolution, a number of commercial accounts were manually calculated and compared to the billing amounts prepared by our system. We determined that the system is under billing the mobile home parks surveyed as much as 30%. Corrections are being made.

Resolution 1217-2014 with amendments in "red" and the new text are both attached.

Since water rates and charges are not being adjusted in Resolution 1217-2014, no special hearing or Proposition 218 process is required for the agenda item.

Cc: Finance Department
City Clerk
Water Superintendent

RESOLUTION NO. 1217-2014

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIO DELL, RESTATING WATER RATES, CHARGES AND FEES AS SET FORTH IN RESOLUTION 1168-2012, CORRECTING AND CLARIFYING THE TEXT AND RESCINDING RESOLUTION 1168-2012

WHEREAS, the City of Rio Dell is authorized by the California Constitution and California Government Code Section 66013 to impose fees to cover expenses for the services it provides; and

WHEREAS, the City Council of Rio Dell did on November 7, 2000 adopt Water Ordinance No. 241 (RDMC Chapter 13.05) that allows for all rates, charges, fees and penalties contained in the ordinance to be modified by resolution of the City Council of the City of Rio Dell to provide for future charges; and

WHEREAS, the City Council of Rio Dell did on May 21, 2002 adopt Ordinance No. 243-2002, amending Water Ordinance No. 241, allowing for monthly bills to be calculated as set forth by resolution duly adopted by the City Council of the City of Rio Dell; and

WHEREAS, the City Council of Rio Dell did on August 7, 2012 adopt Resolution 1168-2012 establishing water rates, charges and fees pursuant to provisions of the Rio Dell Municipal Code Chapter 13.05.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Rio Dell that this Resolution rescinds Resolutions No. 998-2008, 1142-2012, 1159-2012 and 1168-2012, and that all rates, charges, and fees, hereinafter set forth shall remain levied and assessed as of the date of this Resolution as follows:

SECTION 1. Backflow Preventer

~~At consumer's expense plus a \$50.00 reconnection charge.~~ The reconnection charge for a backflow preventer purchased and installed by the customer's is \$50.00.

SECTION 2. Installation of Shut-Off Valves

~~At consumer's expense plus a \$35.00 shut-off charge.~~ The shut-off charge to allow a customer to install their shut-off valve is \$35.00.

SECTION 3. Fees for New Service Connections

~~\$2,500.00 (\$2,000.00 Operational + \$500.00 Capital)~~ The charge for each new service connection is \$2,500.00, or actual costs, whichever is greater (80% Operational & 20% Capital).

SECTION 4. Charges for Installing Meters

~~\$200.00 or actual costs, whichever is greater~~ The charge for installing a City meter is \$200.00, or actual costs, whichever is greater.

SECTION 5. Fees ~~Charges~~ for New Service Connections for Multi-Use Motels and Hotels

The service charge for a new service connection for a multi-use motel or hotel ~~\$110.00 per each said unit~~ that has no more than (1) bedroom and no kitchen facilities ~~per unit or~~ is \$1,000.00, or \$110 each unit, whichever is greater (80% Operational; 20% Capital).

SECTION 6.

For all Residential, Commercial and Institutional Customers Inside City Limits

Minimum Monthly Base Charge Rate effective (July 1, 2012) shall be \$26.24

Usage Charge Rate:

0 to 100 cubic feet - Included in Monthly Base Charge Rate
(100 cubic feet equals 1 unit or 748 gallons)

Usage Rates by Volume in Addition to the Base Rate:

101 to 1,000 cubic feet - \$2.37 per 100 cubic feet
Over 1,000 cubic feet - \$3.56 per 100 cubic feet

For all R.V. Parks and Mobile Home Parks with Significant Space Committed to Recreational Vehicle Parking

Minimum Monthly Base Charge Rates - \$26.24

0 to 100 cubic feet - Included in Monthly Base Charge Rate

Usage Charge Rates by Volume in Addition to the Base Rate:

101 to 1,000 cubic feet - \$2.37 per 100 cubic feet
Over 1,000 cubic feet - \$3.56 per 100 cubic feet

Eligibility for R.V. Park and Mobile Home Park with significant R.V. space will be based on the following conditions and definitions:

1. Mobile home spaces will be are calculated as residential units.
2. Significant R.V. space is defined as being at least 20% of the total spaces in the facility.
3. Base charge rate per R.V. space is calculated at 0- 65% and \$1.00 per mobile home Space. of the base rate.
4. Total Park water consumption must have average less than 90% of the average residential water consumption to maintain eligibility for this the RV rate.
5. Certification: Mobile home park owners or operators must file a monthly sworn statement certifying that the total number of spaces in the park and the number of spaces dedicated to recreational vehicles for the entire month met the above criteria in order to qualify for the retrospective 35% credit for reported RV spaces on the next billing cycle.
6. If any condition is not met, the base charge will be \$1.00 per space.

Example: A 40-unit mobile home park dedicates 8 spaces to recreational vehicles for an entire month with water usage metered at 10,000 cubic feet (100 units).

Base charges rate (\$26.24) for the 40 mobile home spaces	\$1049.60
Base charges Prior month credit for 4 R.V. spaces (65% of \$26.24 x 4)	- 68.22
Water included in base charge (32.00 + 5.20 x 100)	7.20
Water at \$2.37 per 100 cubic feet (32+5.20x900)	334.80
for 6,000 cubic feet (60 units) additional use	\$ 142.20
Total monthly charge	\$1,123.58

Outside City Limits for all Residential and Commercial Customers Alike

Minimum Monthly Base Charge Rate - \$39.39

0-100 cubic feet - Included in Monthly Base Charge Rate

Usage Charge Rates by Volume in Addition to the Base Rate:

101 to 1,000 cubic feet - \$3.56 per 100 cubic feet
Over 1,000 cubic feet - \$5.73 per 100 cubic feet

SECTION 7. Billing

The City may read water meters on a monthly or bi-monthly basis. If a bi-monthly meter reading schedule is established, billings for the month the meters are not read shall be based on one half of the previous two month's usage.

SECTION 8. Meter Reading Issues

Should any particular monthly meter reading not be possible due to malfunctioning equipment, temporary inaccessibility or other reason, each such account shall be billed for the month and subsequent months based on the average usage of the 2 prior months until such time as the problem is resolved and the monthly meter reading can be resumed.

SECTION 8-9. Water Deposits

There shall be no water deposits required for owner/occupied customers. Water Deposits for all non-owner customers (tenants) shall be \$100.00; refundable after all final charges are applied.

SECTION 9-10. Penalty

Delinquent payments: 10% penalty for the first month and an additional 0.5% further penalty per each additional month.

SECTION 10-11. Reconnection Fees

A reconnection fee will be imposed on any delinquent account that has been placed on the shut-off list (due to nonpayment) since the shut-off is in process. Requests for reconnection may be made between 8:00 a.m. and 4:00 p.m. when City Hall is open. The fee charged for the first reconnection is \$40.00 for the first reconnect; \$60.00 for the second reconnection and \$100.00 for all subsequent reconnections.

The prepaid charge of \$75.00 is required for a reconnection that requires City staff to work after 4:30pm on a week day. Reconnections are not available on weekends and holidays. ~~on weekdays.~~
~~An additional charge of \$75.00 will be made for requests made between 4:00 p.m. and 8:00 a.m. on week days and anytime on weekends and holidays.~~

SECTION 11-12. Shut-off Fee Charge Following Unauthorized Connection or Tampering

~~\$400.00 plus actual costs~~ The charge to the customer for an unauthorized connection after a shut-off by the City or for the tampering with the meter is \$400.00, plus actual costs. The customer benefitting from the unauthorized connection or meter tampering is subject to the charge.

SECTION 12-13. Taking Water From Hydrants

The hydrant at the City Corporation yard is the only metered hydrant available for bulk water sales. The connection fee for taking water from the hydrant is \$25.00, plus the cost of water as set forth in section 6 above. Water may not be transported or used outside of City limits, except by existing agreement.

SECTION 13-14. Charges for Vacation Locks

~~To lock: \$10.00~~

~~To renew service: \$10.00~~ The charge for a vacation lock is \$10.00. The charge to renew service after a vacation lock is \$10.00.

BE IT FURTHER RESOLVED, that rates will be increased by three (3) percent annually effective July 1st of each year.

PASSED AND ADOPTED by the City Council of the City of Rio Dell on this
18th day of February, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jack Thompson, Mayor

Attest:

Karen Dunham, City Clerk

RESOLUTION NO. 1217-2014

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIO DELL, RESTATING WATER RATES, CHARGES AND FEES AS SET FORTH IN RESOLUTION 1168-2012, CORRECTING AND CLARIFYING THE TEXT AND RESCINDING RESOLUTION 1168-2012

WHEREAS, the City of Rio Dell is authorized by the California Constitution and California Government Code Section 66013 to impose fees to cover expenses for the services it provides; and

WHEREAS, the City Council of Rio Dell did on November 7, 2000 adopt Water Ordinance No. 241 (RDMC Chapter 13.05) that allows for all rates, charges, fees and penalties contained in the ordinance to be modified by resolution of the City Council of the City of Rio Dell to provide for future charges; and

WHEREAS, the City Council of Rio Dell did on May 21, 2002 adopt Ordinance No. 243-2002, amending Water Ordinance No. 241, allowing for monthly bills to be calculated as set forth by resolution duly adopted by the City Council of the City of Rio Dell; and

WHEREAS, the City Council of Rio Dell did on August 7, 2012 adopt Resolution 1168-2012 establishing water rates, charges and fees pursuant to provisions of the Rio Dell Municipal Code Chapter 13.05.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Rio Dell that this Resolution rescinds Resolutions No. 998-2008, 1142-2012, 1159-2012 and 1168-2012, and that all rates, charges, and fees, hereinafter set forth shall remain levied and assessed as of the date of this Resolution as follows:

SECTION 1. Backflow Preventer

The reconnection charge for a backflow preventer purchased and installed by the customer's is \$50.00.

SECTION 2. Installation of Shut-Off Valves

The shut-off charge to allow a customer to install their shut-off valve is \$35.00.

SECTION 3. Charge for New Service Connections

The charge for a new service connection charge is \$2,500.00, or actual cost (Operations-80% & Capital-20%).

SECTION 4. Charge for Installing Meters

The charge for installing a City meter is \$200.00, or actual cost, whichever is greater.

SECTION 5. Charges for New Service Connections for Multi-Use Motels and Hotels

The service charge for a new service connection for a multi-use motel and hotel, that has no more than (1) bedroom and no kitchen facilities per unit, is \$1,000.00, or \$110 for each rental unit, whichever is greater (80% Operational; 20% Capital).

For all Residential, Commercial and Institutional Customers Inside City Limits

Minimum Monthly Base Rate effective July 1, 2012 shall be \$26.24

Usage Rate:

0 to 100 cubic feet	-	Included in Monthly Base Rate
(100 cubic feet equals 1 unit or 748 gallons)		

Usage Rates by Volume in Addition to the Base Rate:

101 to 1,000 cubic feet	-	\$2.37 per 100 cubic feet
Over 1,000 cubic feet	-	\$3.56 per 100 cubic feet

For all R.V. Parks and Mobile Home Parks with Significant Space Committed to Recreational Vehicle Parking

Minimum Monthly Base Rate	-	\$26.24
0 to 100 cubic feet	-	Included in Monthly Base Rate

Usage Rate by Volume in Addition to the Base Rate:

101 to 1,000 cubic feet	-	\$2.37 per 100 cubic feet
Over 1,000 cubic feet	-	\$3.56 per 100 cubic feet

Eligibility for R.V. Park and Mobile Home Park with significant R.V. space will be based on the following conditions and definitions:

1. Mobile home spaces are calculated as residential units.
2. Significant R.V. space is defined as being at least 20% of the total spaces in the facility.
3. Base rate per R.V. space is calculated at 65% of the \$26.24 monthly base rate.
4. Total Park water consumption must have average less than 90% of the average residential water consumption to maintain eligibility for this the RV rate.
5. Certification: Mobile home park owners or operators must file a monthly sworn statement certifying that the total number of spaces in the park and the number of spaces dedicated to recreational vehicles for the entire month met the above criteria in order to qualify for the retrospective 35% credit for reported RV spaces on the next billing cycle.

Example: A 40-unit mobile home park with water usage metered at 10,000 cubic feet (100 units), with (4) RV spaces reported as rented in the previous month.

Base rate (\$26.24) for the 40 mobile home spaces	\$1049.60
Prior month credit for 4 R.V. spaces (65% of \$26.24 x 4)	- 68.22
Water at \$2.37 per 100 cubic feet for 6,000 cubic feet (60 units) additional use.	<u>142.20</u>
Total monthly charge	\$1,123.58

Outside City Limits for all Residential and Commercial Customers

Minimum Monthly Base Rate	-	\$39.39
0-100 cubic feet	-	Included in Monthly Base Rate

Usage Rates by Volume in Addition to the Base Rate:

101 to 1,000 cubic feet	-	\$3.56 per 100 cubic feet
Over 1,000 cubic feet	-	\$5.73 per 100 cubic feet

SECTION 7. Billing

The City may read water meters on a monthly or bi-monthly basis. If a bi-monthly meter reading schedule is established, billings for the month the meters are not read shall be based on one half of the previous two month's usage.

SECTION 8. Water Deposits

There shall be no water deposits required for owner/occupied customers. Water Deposits for all non-owner customers (tenants) shall be \$100.00; refundable in whole or part after all final charges are applied.

SECTION 9. Penalty

Delinquent payments: 10% penalty for the first month and an additional 0.5% penalty for each additional delinquent month.

SECTION 10. Reconnection Fees

A reconnection fee will be imposed on any delinquent account that has been placed on the shut-off list (due to nonpayment) since the shut-off is in process. Requests for reconnection may be made between 8:00 a.m. and 4:00 p.m. when City Hall is open. The fee charged for the first reconnection is \$40.00, \$60.00 for the second reconnection and \$100.00 for all subsequent reconnections.

The prepaid charge of \$75.00 is required for a reconnection that requires City staff to work after 4:30pm on a week day. Reconnections are not available on weekends and holidays.

SECTION 11. Shut-off Charge Following Unauthorized Connection/Tampering

The charge to the customer for an unauthorized connection after a shut-off by the City or for the tampering with the meter is \$400.00, plus actual costs. The customer benefitting from the unauthorized connection or meter tampering is subject to the charge.

SECTION 12. Taking Water From Hydrants

The hydrant at the City Corporation Yard is the only metered hydrant available for bulk water sales. The connection fee for taking water from the hydrant is \$25.00, plus the cost of water as set forth in section 6 above. Water may not be transported or used outside of City limits, except by existing agreement.

SECTION 13. Charges for Vacation Locks

The charge for a vacation lock is \$10.00. The charge to renew service after a vacation lock is \$10.00.

BE IT FURTHER RESOLVED, that rates will be increased by three (3) percent annually effective July 1st of each year.

PASSED AND ADOPTED by the City Council of the City of Rio Dell on this 18th day of February, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jack Thompson, Mayor

Attest:


Karen Dunham, City Clerk

675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532



For Meeting of: February 18, 2014

To: City Council

From: Kevin Caldwell, Community Development Director 

Through: Jim Stretch, City Manager

Date: February 13, 2014

Subject: Text Amendment Revising the Planning Commission's Regularly Scheduled Meeting of Each Month, Section 2.60.030(4) of the Rio Dell Municipal Code

Recommendation:

That the City Council:

1. Receive staff's report regarding the proposed text amendments; and
2. Continue the public hearing, receive public input, and deliberate; and
3. Adopt Ordinance No. 317-2014 amending Section 2.60.030(4) of the Rio Dell Municipal Code (RDMC) changing the Planning Commission's monthly regular meeting from the fourth Wednesday of the month to the fourth Thursday of the month.
4. Direct the City Clerk, within 15 days after adoption of the Ordinance, to post an adoption summary of the Ordinance with the names of those City Council members voting for or against, or otherwise voting in at least three (3) public places and to post in the office of the City Clerk a certified copy of the full text of the adopted Ordinance pursuant to Section 36933(a) of the California Government Code.

Background/Summary

At the meeting of February 4, 2014 your Council introduced Ordinance No. 317-2014 which if adopted would amend Section 2.60.030(4) of the Rio Dell Municipal Code (RDMC) changing the Planning Commission's monthly regular meeting from the fourth Wednesday of the month to the fourth Thursday of the month.

Staff is recommending that the Council conduct the second reading, receive any public comments and approve and adopt Ordinance No. 317-2014.

Financial Impact

The City is responsible for the costs associated with the proposed amendment. The cost is insignificant and will not result in additional budget expenditures or revisions.

Attachments

1. Ordinance No. 317-2014 amending Section 2.60.030(4) of the Rio Dell Municipal Code (RDMC) changing the Planning Commission's monthly regular meeting from the fourth Wednesday of the month to the fourth Thursday of the month.
2. Post Adoption Summary

ORDINANCE NO. 317 – 2014



AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL
AMENDING SECTION 2.60.030(4) OF THE RIO DELL MUNICIPAL CODE (RDMC) CHANGING
THE PLANNING COMMISSION'S MONTHLY REGULAR MEETING FROM THE FOURTH
WEDNESDAY OF THE MONTH TO THE FOURTH THURSDAY OF THE MONTH

THE CITY COUNCIL OF THE CITY OF RIO DELL ORDAINS AS FOLLOWS:

WHEREAS at the request of one of the Planning Commissioner's at their meeting of January 22, 2014 the Planning Commission considered and discussed changing the regular monthly meeting date; and

WHEREAS the Planning Commission currently meets the fourth Wednesday of the month; and

WHEREAS the Commissioner who requested the change apparently has conflicts with the Wednesday evening meetings; and

WHEREAS because the City Council regularly meets the first and third Tuesday's of each month and sometimes the second and fourth Tuesday of the month for special meetings or study sessions, staff suggested that the Planning Commission meet either the second or fourth Monday or Thursday of the month; and

WHEREAS upon further discussion, staff felt and the Planning Commission concurred that Mondays are somewhat problematic because many times unexpected issues are raised on Mondays; and

WHEREAS after a fairly lengthy discussion, the Planning Commission voted 4 – 1 to request that the City Council amend the regular meeting date to the fourth Thursday of the month; and

WHEREAS should the Council decide to approve the Planning Commission's recommendation to move the regularly scheduled meeting to the fourth Thursday of the month, staff and the Planning Commission recommends that Section 2.60.030(4) be further amended; and

WHEREAS the current language of Section 2.60.030(4) requires that if the meeting date falls on a legal holiday, the meeting shall be held the following day at the same hour; and

WHEREAS if the Council does decide to approve the Planning Commission's recommendation, staff recommends that if the meeting date does fall on a holiday, the meeting will be either cancelled or rescheduled to the following Thursday.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Rio Dell does hereby ordain as follows:

Section 1. Section 2.60.030(4) of the Rio Dell Municipal Code is hereby amended as follows:

*The Commission shall hold at least one regular meeting each month. The regular meeting of the Planning Commission shall be held at 6:30 p.m. on the fourth ~~Wednesday~~ **Thursday** of the month and, in the event that the fourth ~~Wednesday~~ **Thursday** falls on a legal holiday, the meeting shall be held the following ~~day~~ **Thursday** at the same hour. Location shall be in the Rio Dell City Hall Council Chambers at 675 Wildwood Avenue.*

Section 2. Severability

If any provision of the ordinance is invalidated by any court of competent jurisdiction, the remaining provisions shall not be affected and shall continue in full force and effect.

Section 3. Limitation of Actions

Any action to challenge the validity or legality of any provision of this ordinance on any grounds shall be brought by court action commenced within ninety (90) days of the date of adoption of this ordinance.

Section 4. Effective Date

This ordinance becomes effective thirty (30) days after the date of its approval and adoption.

I HEREBY CERTIFY that the forgoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Rio Dell on February 4, 2014 and furthermore the forgoing Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the February 18, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jack Thompson, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Ordinance No. 317-2014 which was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the February 18, 2014.

Karen Dunham, City Clerk, City of Rio Dell

**675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532**



**Public Notice
City of Rio Dell City Council
SUMMARY FOR POSTING AFTER ADOPTION OF ORDINANCE**

(The summary shall be published or posted within 15 calendar days after the adoption of the ordinance)

Summary

On **Tuesday, February 18, 2014 at 6:30 p.m.**, the Rio Dell City Council held a public hearing in the City Council Chamber at City Hall and approved and adopted **Ordinance No. 317-2014** amending Section 2.60.030(4) of the Rio Dell Municipal Code (RDMC) changing the Planning Commission's monthly regular meeting from the fourth Wednesday of the month to the fourth Thursday of the month.

Section 36933(a) of the California Government Code requires that the City Clerk, to post a summary of the Ordinance within 15 days of adoption with the names of those City Council members voting for or against, or otherwise voting in at least three (3) public places and to post in the office of the City Clerk a certified copy of the full text of the adopted Ordinance. Said Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the February 18, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

A certified copy of the full text of the Ordinance is posted in the office of the City Clerk at 675 Wildwood Avenue in Rio Dell. General questions regarding the Ordinance and the process should be directed to Kevin Caldwell, Community Development Director, (707) 764-3532.